

# Senate File 2347 - Enrolled

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SENATE FILE 2347

AN ACT  
RELATING TO THE USE OF OPTICAL SCAN VOTING SYSTEMS IN EVERY  
COUNTY, MAKING AN APPROPRIATION FOR THE COST OF PURCHASING  
AND DISTRIBUTING OPTICAL SCAN VOTING SYSTEMS, REDUCING  
CERTAIN APPROPRIATIONS, PROVIDING FOR CONTINUING EDUCATION  
FOR CERTAIN ELECTION PERSONNEL, AND PROVIDING AN EFFECTIVE  
DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 47.10 OPTICAL SCAN VOTING SYSTEM  
FUND.  
An optical scan voting system fund is established in the  
office of the treasurer of state under the control of the  
secretary of state. Moneys in the fund are appropriated to  
the office of the secretary of state for purchase and  
distribution of optical scan voting system equipment to  
counties to assist county compliance with section 52.2,  
subsection 2. The secretary of state, in consultation with  
the department of administrative services, shall establish a  
procedure for purchasing and distributing the equipment.

Sec. 2. Section 49.124, Code 2007, is amended to read as  
follows:  
49.124 TRAINING COURSE BY COMMISSIONER == CONTINUING  
EDUCATION PROGRAM.

1. The commissioner shall conduct, not later than the day  
before each primary and general election, a training course  
for all election personnel, and the commissioner may do so  
before any other election the commissioner administers. The  
personnel shall include all precinct election officials and  
any other persons who will be employed in or around the  
polling places on election day. At least two precinct  
election officials who will serve on each precinct election  
board at the forthcoming election shall attend the training  
course. If the entire board does not attend, those members  
who do attend shall so far as possible be persons who have not  
previously attended a similar training course.

2. A continuing education program shall be provided to  
election personnel who are full-time or part-time permanent  
employees of the commissioner's office. The state  
commissioner of elections shall adopt rules pursuant to  
chapter 17A to implement and administer the continuing  
education program.

Sec. 3. Section 52.2, subsection 2, Code Supplement 2007,  
is amended by striking the subsection and inserting in lieu  
thereof the following:  
2. Notwithstanding any provision to the contrary, for  
elections held on or after November 4, 2008, a county shall  
use an optical scan voting system only. The requirements of  
the federal Help America Vote Act relating to disabled voters  
shall be met by a county through the use of electronic ballot  
marking devices that are compatible with an optical scan  
voting system.

Sec. 4. Section 52.7, subsection 1, paragraph 1, Code  
Supplement 2007, is amended by striking the paragraph.

Sec. 5. OPTICAL SCAN VOTING SYSTEM FUND == APPROPRIATION.  
There is appropriated from the rebuild Iowa infrastructure  
fund to the office of the secretary of state for the fiscal  
year beginning July 1, 2007, and ending June 30, 2008, the  
following amount, or so much thereof as is necessary, to be  
used for the purpose designated:  
For deposit into the optical scan voting system fund, as  
established in section 47.10, notwithstanding section 8.57,  
subsection 6, paragraph "c":

..... \$ 4,900,880

1. If any federal funding is received for the same or  
similar purposes authorized in section 47.10, as enacted by  
this Act, of the amount appropriated in this section, \$61,000  
is allocated for matching such federal funding, and an amount  
equal to the federal funding received shall revert from the  
amount appropriated to the rebuild Iowa infrastructure fund at

3 4 the end of the fiscal year.  
3 5 2. Notwithstanding section 47.9, as of the effective date  
3 6 of this Act, all remaining moneys in the voting machine  
3 7 reimbursement fund established in section 47.9 shall be  
3 8 transferred to the optical scan voting system fund established  
3 9 in section 47.10. Notwithstanding section 8.33, except as  
3 10 otherwise provided in subsection 1, the moneys appropriated  
3 11 and transferred in accordance with this section shall not  
3 12 revert to the fund from which appropriated or transferred.  
3 13 3. On or before December 31, 2008, the secretary of state  
3 14 shall submit a report to the chairpersons and ranking members  
3 15 of the joint appropriations subcommittee on administration and  
3 16 regulation regarding the expenditures of moneys from the  
3 17 optical scan voting system fund and distribution of equipment  
3 18 to counties appropriated in this section.  
3 19 Sec. 6. 2006 Iowa Acts, chapter 1179, section 5, as  
3 20 amended by 2007 Iowa Acts, chapter 219, section 22, is amended  
3 21 to read as follows:  
3 22 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is  
3 23 appropriated from the rebuild Iowa infrastructure fund to the  
3 24 department of administrative services for the designated  
3 25 fiscal years, the following amounts, or so much thereof as is  
3 26 necessary, to be used for the purposes designated:  
3 27 For planning, design, and construction costs associated  
3 28 with the construction of a new approximately  
3 29 350,000-gross-square-foot state office building, including  
3 30 costs associated with furnishings, employee relocation, and  
3 31 the demolition of the Wallace Building:  
3 32 FY 2007=2008..... \$ ~~3,600,000~~  
3 33 0  
3 34 FY 2008=2009..... \$ 23,300,000  
3 35 FY 2009=2010..... \$ 12,657,100  
4 1 Notwithstanding section 8.33, moneys appropriated in this  
4 2 section shall not revert at the close of the fiscal year for  
4 3 which they were appropriated but shall remain available for  
4 4 the purposes designated until the close of the fiscal year  
4 5 that begins July 1, 2011, or until the project for which the  
4 6 appropriation was made is completed, whichever is earlier.  
4 7 The design specifications of the new state office building  
4 8 shall include, at a minimum, energy efficiency specifications  
4 9 that exceed state building code requirements and have the  
4 10 potential for leadership in energy and environmental design  
4 11 silver certification from the United States green building  
4 12 council.  
4 13 Sec. 7. 2007 Iowa Acts, chapter 219, section 1, subsection  
4 14 1, paragraph n, is amended to read as follows:  
4 15 n. For costs associated with a feasibility study  
4 16 concerning asbestos abatement and related building renovation  
4 17 work at the Iowa workforce development building located at  
4 18 1000 E. Grand Avenue in Des Moines, notwithstanding section  
4 19 8.57, subsection 6, paragraph "c":  
4 20 ..... \$ ~~1,000,000~~  
4 21 0  
4 22 Sec. 8. Section 47.9, Code Supplement 2007, is repealed.  
4 23 Sec. 9. EMERGENCY RULES. The secretary of state may adopt  
4 24 emergency rules under section 17A.1, subsection 2, and section  
4 25 17A.5, subsection 2, paragraph "b", to implement the  
4 26 provisions of this Act relating to optical scan voting  
4 27 systems, and the rules shall be effective immediately upon  
4 28 filing unless a later date is specified in the rules. Any  
4 29 rules adopted in accordance with this section shall also be  
4 30 published as a notice of intended action as provided in  
4 31 section 17A.4.  
4 32 Sec. 10. EFFECTIVE DATE. This Act, being deemed of  
4 33 immediate importance, takes effect upon enactment.  
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JOHN P. KIBBIE  
President of the Senate

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PATRICK J. MURPHY  
Speaker of the House

5 10 I hereby certify that this bill originated in the Senate and  
5 11 is known as Senate File 2347, Eighty-second General Assembly.  
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5 17 Approved \_\_\_\_\_, 2008  
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5 21 CHESTER J. CULVER  
5 22 Governor

MICHAEL E. MARSHALL  
Secretary of the Senate